

BEFORE THE TENNESSEE REGULATORY AUTHORITY AT

NASHVILLE, TENNESSEE

June 30, 2005

IN RE:)	
)	
PETITION OF COMTECH21, LLC AND CYBERTEL)	DOCKET NO.
COMMUNICATIONS FOR APPROVAL OF TRANSFER)	04-00164
OF ASSETS)	
)	

ORDER DENYING TRANSFER OF CONTROL

This matter came before Chairman Pat Miller, Director Sara Kyle and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority" or "TRA"), the voting panel assigned to this Docket, at a regularly scheduled Authority Conference held on April 4, 2005 for consideration of the *Application to Transfer Customer Base* ("Application") filed by ComTech21, LLC ("ComTech21") for TRA approval of a transfer of assets from Cybertel Communications ("Cybertel") to ComTech21.

Background

The *Application* in this matter was filed on June 6, 2004. The *Application* requests approval of a transfer of Cybertel's customers to ComTech21. TRA Staff issued four Data Requests after determining that ComTech21 had provided insufficient information in its *Application*. However, the Authority received only one response to those requests. On March 31, 2005, the Authority sent a letter advising that this matter was scheduled to be considered by the voting panel assigned to this Docket during the regularly scheduled Authority Conference on April 4, 2005. The letter also requested that ComTech21 advise the Authority whether a

representative of ComTech21 would attend the April 4, 2005 Authority Conference. The Authority never received a response to the March 31, 2005 letter, nor was a representative of ComTech21 present at the April 4, 2005 Authority Conference.

Findings and Conclusions

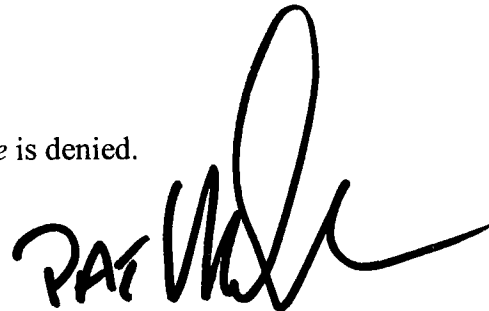
The licenses of both ComTech21 and Cybertel to conduct business in the State of Tennessee have been revoked by the Tennessee Department of Revenue. Thus, neither ComTech21 nor Cybertel is currently in good standing with the State of Tennessee. Further, although the *Application* states that Cybertel possess a CCN to provide telecommunications services in Tennessee, the Authority has been unable to locate any information related to Cybertel and its CCN and repeated requests by the TRA for supplemental information have gone unanswered.

April 4, 2005 Authority Conference

Based on the foregoing, at the April 4, 2005 Authority Conference, the panel assigned to this Docket unanimously voted to deny the *Application* discussed herein.

IT IS THEREFORE ORDERED THAT:

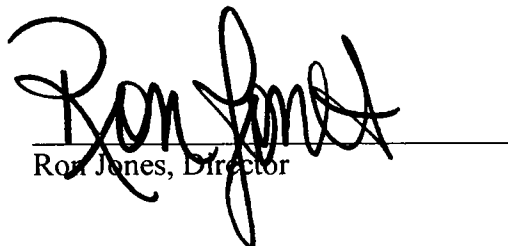
The *Application to Transfer Customer Base* is denied.



Pat Miller, Chairman



Sara Kyle, Director



Ron Jones, Director